

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.4628 OF 2025

Yogesh Dattu AgivaleApplicant
versus
The State of MaharashtraRespondent

Mr. Aniket Nikam along with Mr. Luv Suchak, Ms. Abhilasha Pawar and
Mr. Dipak Kasbe, Advocate for Applicant.

Mr. S. S. Pednekar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 270 of 2024 registered with Vadgaon Maval Police Station, District Pune, for the offences punishable under Sections 302, 326, 324, 504, 506, 34, 143, 147, 148 and 149 of the Indian Penal Code 1860 and Section 4(25) of the Arms Act.

2. It is prosecution's case that on 5th June 2024, the applicant and the co-accused murdered the friend of the first informant by assaulting him with sickle, iron rod, wooden rod and iron angle and also assaulted other friends of the first informant.

3. It is contention of learned counsel for the applicant that the applicant's name is not mentioned in the FIR. He was referred to as an

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unknown person in the FIR. In the Test Identification Period, the applicant has not been identified. The applicant is behind bars for more than one year. He has no antecedents and requested to allow the application.

4. It is contention of learned APP that the applicant was a part of the group who assaulted the deceased. The applicant actively participated in the assault of the deceased. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge sheet and documents produced on record. The name of the applicant is not mentioned in the FIR. He has been referred to as an unknown person in the FIR. In the Test Identification Parade, he has not been identified. To prove the role of the applicant in the crime, evidence is required. The applicant is behind bars for more than one year. He has no antecedents. It may take time to conclude the trial. Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 270 of 2024 registered with Vadgaon Maval Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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(ii) The applicant shall attend the concerned police station as and when required.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)